

# Business Bulletin


## Regulatory Committee

10.00a.m., Monday, 4 December 2023

Dean of Guild Court Room, City Chambers, High Street, Edinburgh



# Regulatory Committee

Convener:	Members:	Contact:
<p data-bbox="156 338 448 416">Convener Councillor Neil Ross</p> 	<p data-bbox="635 338 1043 741">Councillor Jack Caldwell Councillor Denis Dixon  Councillor Margaret Graham Councillor Martha Mattos-Coelho Councillor Joanna Mowat Councillor Susan Rae Councillor Val Walker  Councillor Norman Work</p>	<p data-bbox="1145 338 1437 416"><a href="#">Taylor Ward</a> Committee Services</p>

Recent News	Background	Contact				
<b>LICENSING</b>						
<p><b>Short term lets (STL) applications</b></p> <table border="1" data-bbox="188 383 788 535"> <tr> <td data-bbox="188 383 636 461">Total no. applications</td> <td data-bbox="636 383 788 461">3,607*</td> </tr> <tr> <td data-bbox="188 461 636 535">No. applications refused</td> <td data-bbox="636 461 788 535">-</td> </tr> </table> <p>* As of 27 October 2023</p> <p>The Licensing Service has provided all existing operators of STL accommodation with a provisional licence number, in accordance with legislative requirements. This will allow existing hosts (those who were operating prior to 1 October 2022) to list their property for bookings and to trade using online platforms whilst their application is considered.</p>	Total no. applications	3,607*	No. applications refused	-	<p>The Regulatory Committee approved a Short Term Lets Licensing Policy on <a href="#">29 September 2023</a>.</p> <p>On 1 October 2022, a licensing scheme for short term lets opened in Edinburgh. Existing operators had until 1 October 2023 to apply for a STL licence if they wished to continue to operate.</p>	<p><a href="#">Andrew Mitchell</a> Head of Regulatory Services 0131 529 4208</p>
Total no. applications	3,607*					
No. applications refused	-					
<p><b>Licensing performance</b></p> <p>Workload pressure has significantly increased due to the statutory deadline of 1 October 2023, for Short Term Let Licence applications, with well over 3,000 applications received in a six-week period.</p> <p>This will have an impact on the delivery of the rest of the service, and it is anticipated that it may take longer than normal to issue licences. However, the service is prioritising supporting all applicants by enabling them to continue operating wherever possible.</p> <p>The volume of temporary licence applications has increased this year, which also has an impact on the rest of the service. The service is currently working on over 400 applications every week, and the resulting tight turnaround timescales increases pressure to deliver.</p> <p>A recent recruitment drive has been</p>	<p>Committee has requested an update on progress in dealing with the operational backlog</p>	<p><a href="#">Catherine Scanlin</a> Licensing Manager 0131 529 4208</p>				

<p>positive with 10 new members of staff, at various stages of recruitment, soon to join the organisation.</p>		
<p><b>Driver Skills Development Programme: Foundation and Intermediate Courses</b></p> <p>To date, 35 Foundation training courses have been delivered to over 1,376 new taxi and private hire car drivers.</p> <p>The courses have been well received and, due to the significant demand, additional courses have been added this year. The Foundation course has proved invaluable in supporting new drivers entering the trade.</p> <p>The first Intermediate course for existing licensed drivers started in November 2023. This course is designed to improve customer relations and standards within the trade.</p> <p>The course is run over three days, and can be completed over a week or once a week over a three week period.</p> <p>After a break for the festive period, the Intermediate training programme will recommence in January 2024 and will be linked to driver renewal applications.</p> <p>Further information is attached at Appendix 1.</p>	<p>The Foundation Course for new taxi and private hire car drivers was approved by the Regulatory Committee on <a href="#">2 November 2020</a>.</p> <p>The online training is delivered in real time and allows participants to learn in a safe and convenient setting. The course provides opportunities for all to participate in group tasks and discussions.</p>	<p><a href="#">Catherine Scanlin</a> Licensing Manager 0131 529 4208</p>
<p><b>Applications granted using delegated powers</b></p> <p>Following consultation with the Convener of the Licensing Sub Committee and feedback from members, officers have used delegated powers to grant the applications listed at Appendix 2. These are being reported to Committee for information purposes only.</p>	<p>Historically these applications would be sent to Committee for determination. However, in the absence of objections, representations or being contentious, the current scheme of delegation allows officers to grant.</p>	<p><a href="#">Catherine Scanlin</a> Licensing Manager 0131 529 4208</p>

## TRADING STANDARDS AND LICENSING ENFORCEMENT

### Second hand dealers

The Licensing Enforcement Team has been focusing on a range of businesses which have failed to renew licences which were in place prior to the Covid-19 pandemic.

In some cases, these businesses had ceased to operate or changed their business model, however a significant number had resumed carrying out licensed activity without reapplying for the relevant second hand dealers' licence.

22 applications for second hand dealer licences have been submitted to date as a direct result of enforcement action.

Any person in Edinburgh carrying on a business as a dealer in second hand goods or articles is required to be licensed under the Civic Government (Scotland) Act 1982.

[Tom Veitch](#)

Licensing and Enforcement Manager  
0131 469 3871

### Fireworks inspections

In Edinburgh there are 18 premises selling fireworks, and each has been inspected by the Licensing Enforcement team. These inspections ensure that the storage arrangements are safe and compliant, and officers have also provided advice and guidance relating to sales restrictions.

12 Test Purchases have been carried out to ensure compliance with the limits of times of sale and net quantity of explosive restrictions. There were no failures relating to these attempts. No reports have been received relating to the purchase of fireworks by those under the age of 18, but this remains an area of close attention.

Other proactive work continues on illicit sales and the illicit importation of fireworks with the Citywide Bonfire Community Improvement Partnership (CIP), and working on opportunities with Police Scotland and other agencies.

The Trading Standards and Licensing Enforcement teams enforce controls on fireworks in terms of their safe storage, sale, and construction.

New legislation in 2019 brought in additional controls relating to time limits for sales (6pm-7am), and net explosive content purchase limits (5kg Net).

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Licensing and Enforcement Manager  
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<p><b>UK Government Consultation: Creating a Smoke Free Generation and Tackling Youth Vaping</b></p> <p>The Scottish Government Tobacco Strategy has been paused to align with a broader UK approach. The UK Government <a href="#">Consultation</a> on Creating a Smoke Free Generation and Tackling Youth Vaping is now open and will conclude on 6 December 2023.</p> <p>The Society of Chief Officer for Trading Standards in Scotland (SCOTSS) will be submitting a collated response on behalf of the 32 Chief Officers in Scotland. The SCOTSS response to the original Scottish Government consultation is available <a href="#">here</a>.</p>	<p>Both consultations largely focus on areas covered by City of Edinburgh Council's Trading Standards team, in terms of availability and display of tobacco and vaping devices, primarily to young people. This also links to work carried out by the Trading Standards team on illicit (duty evaded) tobacco, in partnership with HMRC.</p>	<p><a href="#">Tom Veitch</a> Licensing and Enforcement Manager 0131 469 3871</p>
<p><b>Traffic Orders – Licensing Sub-Committee</b></p> <p>On 15 December 2022, in response to a review of political management arrangements, the Council <a href="#">agreed</a> to transfer the statutory element of Traffic Regulation Orders to Regulatory Committee. The change recognised that Orders are quasi-judicial and that Licensing Sub-Committee would be able to deal with these effectively. The change came into effect after the Easter recess 2023, with the first report considered by Licensing Sub-Committee in June 2023. To date, only two reports have been submitted for consideration.</p> <p>Transport and Environment Committee have requested a report to their Committee in March 2024 on the options for dealing with Traffic Orders in future which continues to respect the role of Licensing Sub-Committee but allows Transport and Environment Committee to continue to be involved and to take a view on key transport changes being delivered through statutory order processes.</p>		<p><a href="#">Alison Coburn</a> <b>Wards Affected:</b> All</p>

## Appendix 1

Driver Skills Development Programme: Foundation Course						
	Courses	Participants	First time passes	Resits	Resit passes	Total passes
2020	1	7	7	0	0	7
2021	8	134	116	5	2	118
2022	12	510	453	47	28	481
2023*	14	676	605	93	50	655
<b>Total</b>	<b>35</b>	<b>1376</b>	<b>1224</b>	<b>154</b>	<b>85</b>	<b>1309</b>

\*From August 2023 all training continued **online** but assessments are now conducted in person at the Licensing Hub training suite, Murrayburn Depot

## Appendix 2

APP ref.	Type	Event	Location	Dates/times	Capacity	Consultees	Info.
508407	PEL	Unique Assembly	West Princes Street Gardens	18 November - 15 December 2023; 10:00-22:00 daily	1,000	no adverse comments, has been through EPOG	annual event
508405	MOL	Unique Assembly	West Princes Street Gardens	18 November - 15 December 2023; 10:00-22:00 daily	10 units	no adverse comments, has been through EPOG	annual event
508406	PEL Amusement Devices	Unique Assembly	West Princes Street Gardens	18 November - 15 December 2023; 10:00-22:00 daily	14 devices	no adverse comments, has been through EPOG	annual event
508394	PEL	Unique Assembly	East Princes Street Gardens	17 November - 14 December 2023; 10:00-22:00 daily	5,000	no adverse comments, has been through EPOG	annual event

508398	MOL	Unique Assembly	East Princes Street Gardens	17 November - 14 December 2023; 10:00-22:00 daily	75 units	no adverse comments, has been through EPOG	annual event
508399	PEL Amusement Devices	Unique Assembly	East Princes Street Gardens	17 November - 14 December 2023; 10:00-22:00 daily	5 devices	no adverse comments, has been through EPOG	annual event
508410	PEL	Unique Assembly	George Street Ice Rink B1	17 November - 14 December 2023; 10:00-22:00 daily	600	no adverse comments, has been through EPOG	annual event
508409	MOL	Unique Assembly	George Street Ice Rink B1	17 November - 14 December 2023; 10:00-22:00 daily	3 units	no adverse comments, has been through EPOG	annual event
508412	PEL	Unique Assembly	St Andrew Square	18 November - 15 December 2023; 10:00-22:00 daily	300	no adverse comments, has been through EPOG	annual event
508413	MOL	Unique Assembly	George Street Block 2 and Castle Street North End	17 November - 14 December 2023; 10:00-22:00 daily	23 units	no adverse comments, has been through EPOG	annual event
508414	PEL Amusement Devices	Unique Assembly	George Street Block 2	17 November - 14 December 2023; 10:00-22:00 daily	2 devices	no adverse comments, has been through EPOG	annual event
514513	PEL	Diwali	Ross Bandstand, Princes St Gardens	19 November 2023; 1230-1900	2,500	no adverse comments, has been through EPOG	Includes: music, dance, fireworks, submitted late on 30 Oct; conditions sent to applicant on 14, chased and accepted



513297	PEL	Castle of Light	Edinburgh Castle	22 November – 19 December-2023; 1630-2100	5,000	no adverse comments, has been through EPOG	Includes: light trail, annual event
511242	PEL	Scottish Indian Arts Forum	Calton Hill	27 October – 29 October 2023; 1400-200	2,400		Includes: music, dance, food, submitted 1 October 2023; not made complete until 26 October 2023
506089	PEL	Terminal V Halloween Trilogy	Royal Highland Centre	27-29 October 2023; Friday 1900-0300; Saturday 1400-0000; Sunday 1400-0000	6,000	no adverse comments, has been through EPOG	
505605	MOL	Terminal V Halloween Trilogy	Royal Highland Centre	27-29 October 2023; Fri day 1900-0300; Saturday 1400-0000; Sunday 1400-0000	18 vendors	no adverse comments, has been through EPOG	
512489	PEL	Beltane	Holyrood Park	1800-2300	5,000	has been through EPOG; all consultees have responded with no adverse comments	usual fire dancing, drumming etc
508942 511504 511508	ST	Business Incentives Group Limited	Mound Precinct, outside National Galleries	27 October – 11 November 2023; 0900-1800		no adverse comments from consultees	selling Poppy Scotland merchandise. Has been in this location for a number of years at this time of year; has previously been granted at Committee